

REMARKS

Amendments

Claims 1-50 and 64-78 are cancelled.

Claims 51-63 are pending.

Claims 51, 54, 56, 58, 60, and 62 have been amended so that each claim now recites a “heavy chain variable region” or “heavy chain” “consisting of the amino acid sequence of SEQ ID NO: . . .” and a “light chain variable region” or “light chain” “consisting of the amino acid sequence of SEQ ID NO: . . .” and a pair of heavy and light chain SEQ ID NOs for each claim. These amendments are based on previously presented claims 54, and 60-62, and supported in the specification by *e.g.*, Figures 1, 10, and 13.

Claims 53, 55, 57, 59, 61, and 63, have been amended so that each is a dependent claim reciting a “pharmaceutical composition comprising the antibody” of the independent claims 51, 54, 56, 58, 60, and 62, respectively. These amendments are based on previously presented claim 63, and are supported in the specification by *e.g.*, page 5, lines 17-21.

Applicants submit that the above amendments add no new matter to the application.

Response

Claim Rejections – 35 USC § 112, First Paragraph – Written Description

13. Claims 51-58 and 63 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner alleges that Applicants have not clearly demonstrated that they are in possession of a genus of antibodies that heavy chains and light chains that are at least 95% identical to SEQ ID NOs: 1, 25, 28, and 31, as well as 7, 26, and 32, respectively.

Applicants respectfully disagree with the Examiner’s written description rejection. However, in order to move prosecution forward Applicants have amended claims 51-63 so that they no longer recite a “variable region comprising an amino acid sequence at least 95% identical to SEQ ID NO...” The amended claims 51-63 instead recite heavy and light chains, or heavy and light chain variable regions, “consisting of the

amino acid sequence of SEQ ID NO: . . .” Consequently, the Applicants have obviated the grounds for the Examiner’s written description rejection of claims 51-63 and request that this rejection be withdrawn.

Claim Rejections – 35 USC § 112, First Paragraph – Enablement

14. Claims 51-63 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly non-enabled for chimeric or humanized antibodies that have heavy and light chains a) with at least 95% sequence identity to SEQ ID NOs: 1, 16, 20, 25, 28, and 31, as well as 7, 18, 22, 26, and 32, respectively (Claims 51-58 and 63); or b) “comprising” SEQ ID NOs: 1, 16, 20, 25, 28, and 31, as well as 7, 18, 22, 26, and 32, respectively (Claims 59-63).

Applicants respectfully disagree with the Examiner’s enablement rejection. However, in order to move prosecution forward Applicants have amended claims 51-63 so that they no longer recite a “variable region comprising an amino acid sequence at least 95% identical to SEQ ID NO...” The amended claims 51-63 instead recite heavy and light chains, or heavy and light chain variable regions, “consisting of the amino acid sequence of SEQ ID NO: . . .” The Examiner has acknowledged that “chimeric or humanized antibodies with VH and VL consisting of any one of SEQ ID NOs: 1, 16, 20, 25, 28, and 31, as well as 7, 18, 22, 26, and 32, respectively, are fully enabled for binding to $\alpha 5\beta 1$ integrin.” *See* Office Action dated Jan. 11, 2007 at page 6. Consequently, amended claims 51-63 now recite antibodies that the Examiner has indicated are fully enabled by the disclosure. In view of these amendments, Applicants submit that the grounds for the Examiner’s enablement rejection of claims 51-63 are obviated, and respectfully request that the rejection be withdrawn.

Claim Rejections – Double Patenting

15. Claims 51 and 54-63 are rejected for alleged nonstatutory obviousness-type double patenting over claims 1-8 of copending Application No. 10/830,956.

Claims 1-8 of Application No. 10/830,956 were cancelled in an Amendment and Reply filed January 24, 2007. Consequently, the grounds for this rejection have been obviated and the rejection should be withdrawn.

16. Claims 51 and 54-63 are rejected as allegedly not patentably distinct from claims 1-8 of commonly assigned Application No. 10/830,956.

As noted above, claims 1-8 of Application No. 10/830,956 were cancelled in an Amendment and Reply filed January 24, 2007. Consequently, the grounds for this rejection have been obviated and the rejection should be withdrawn.


CONCLUSION

In view of the foregoing amendments and remarks, Applicants believe all claims now pending in this application are in condition for allowance.

If the Examiner believes a telephone conference would expedite the prosecution of this application, please call the undersigned at (650) 798-3524.

Respectfully submitted,

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